

**IN THE SPECIFICATION**

Page 19, line 9, please replace "corresponding the" with --corresponding to the--;

Page 19, line 14, please replace "D1" with --D4--;

Page 22, line 9, please replace "generate" with --generates --;

**IN THE CLAIMS**

Please amend the claims as follows:

6. (Amended) The recording apparatus according to claim 1, wherein said control means controls said recording means so as to record said first data [date] in a first region of said recording medium, and controls said recording means so as to generate assisting data for identifying said first data and record the assisting data in a second region different from said first region of said recording medium.

**IN THE ABSTRACT OF THE DISCLOSURE**

Please amend the abstract of the disclosure as follows:

Line 5, please replace "present" with --apparatuses--;

Line 6, please replace "invention comprises recording means" with --include a recording mechanism--;

Line 6, please replace "input means" with --an input--;

Lines 7-8, please replace "control means" with --a controller--;

Line 9, please replace "recording means" with --recording mechanism--;

**REMARKS**

Claims 1-32 are pending in this application. Claim 6 has been amended. Reconsideration is respectfully requested.

**I. Objections to the Specification**

The Examiner objected to the abstract of the disclosure because of the

use of legal phraseology such as "means" and "The present invention comprises . . ." In response, Applicant has amended the abstract of the disclosure to delete the use of legal phraseology.

The Examiner has objected to the title as not being descriptive. A new title has been substituted which is more clearly indicative of the invention to which the claims are directed.

The Applicant respectfully requests that the Examiner withdraw the objections to the specification.

## II. Objections to the Claims

The Examiner objected to claim 6 because in line 3, after "first," "date" should be changed to --data--. In response, Applicant has amended claim 6 to replace "date" with --data--. The Applicant respectfully requests that the Examiner withdraw the objection to claim 6.

## III. Claim Rejections Under 35 U.S.C. 102

The Examiner rejected claims 1, and 3-6 under 35 U.S.C. 102(e) as being anticipated by Sasakura (U.S. Patent No. 5,940,241). For the foregoing reasons, Applicant respectfully traverses the Examiner's rejection.

### A. Claim 1, 3-4, and 6

Claim 1 calls for input means for inputting a start point and an end point of **desired second data out of said first data to be recorded or already recorded** in said recording medium by said recording means; and control means, when said start point and end point of said second data are designated through said input means, for controlling said recording means so as to endlessly-record said first data in said recording medium while avoiding the recording region of said recording medium in which said second data has been recorded. (emphasis added). Thus, the desired second data is within the first data to be recorded or already recorded, and the first data is recorded so as to avoid the recording region of the recording medium in which the second data

has been recorded.

Sasakura discloses an image signal recording system for recording an image signal on a recording medium. Specifically, Sasakura discloses that an extended track area is provided on the magnetic disk for forming additional recording tracks on the radially outer side of an ordinary track area. Col. 4, lines 19-35.

Sasakura further discloses that when the extended-track-area using mode is selected, the magnetic head 4 is moved to the **outermost unrecorded track within the extended track area**. A check is made to find if there are two or more consecutive unrecorded tracks within the extended track area. If so, the magnetic head 4 is moved to a **radially outermost track among the two or more consecutive unrecorded tracks within the extended track area**. If not, the magnetic head 4 is moved to a **radially outermost track among two or more consecutive unrecorded tracks within the ordinary track area**. Col. 5, lines 20-43.

Thus, Sasakura does not teach or suggest Applicant's claimed invention. First, Sasakura does not teach or suggest input means for inputting a start point and an end point of **desired second data out of said first data to be recorded or already recorded** in said recording medium by said recording means, as called for in Applicant's claim 1. Thus, a start and an end point of a portion of the first data are input. Instead, Sasakura discloses that data is only recorded in the radially outermost unrecorded track. Sasakura does not input a start point and an end point of desired second data out of said first data to be recorded or already recorded.

Second, Sasakura does not teach or suggest that first data is recorded so as to avoid the recording region of the recording medium in which the second data has been recorded, as called for in Applicant's claim 1. Instead, Sasakura only records data in the radially outermost unrecorded track. Sasakura does avoid a recording region of the recording medium in which the second data out said first data have been recorded.

For all these reasons, Applicant respectfully contends that claim 1 and claims 3, 4 and 6 dependent therefrom are patentable over the Sasakura reference.

**B. Claim 5**

Applicant herein renews all of the arguments put forth above in distinguishing claim 1 over the reference relied upon by the Examiner and respectfully submits that at least for the same reasons, claim 5 is patentable. Additionally, for the reasons put forth below, claim 5 is patentable over the reference relied upon by the Examiner.

Claim 5 calls for that control means, when said recording means is controlled so as to endlessly-record said data in said recording medium, endlessly-records said first data in a first region of said recording medium, and when said start point and end point of said second data are input through said input means, controls said recording means so as to endlessly-record said first data in said first region while avoiding a predetermined second region out of said first region of said recording medium.

Since Sasakura discloses that data is recorded in the radially outermost unrecorded track, Sasakura does not teach or suggest that first data is endlessly-recorded in the first region while avoiding a predetermined second region out of the first region of the recording medium. Specifically, Sasakura does not teach or suggest avoiding a predetermined second region out of the first region of the recording medium.

For all these reasons, Applicant respectfully contends that claim 5 is patentable over the reference relied upon by the Examiner.

**IV. Claim Rejections Under 35 U.S.C. 103**

**A. Claims 2, 7, 9-14, 16-21, and 23-28**

Claims 2, 7, 9-14, 16-21, and 23-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasakura in view of Schuler (U.S. Patent No. 5,53,830). Applicant respectfully traverses the Examiner's rejections for the

reasons set forth below.

Applicant herein renews all of the arguments put forth above in distinguishing claim 1 over the references relied upon by the Examiner and respectfully submits that at least for the same reasons, claims 2 and 7 dependent therefrom are patentable, independent claim 9 and claims 10-11 and 13-14 dependent therefrom are patentable, independent claim 16 and claims 17-21 dependent therefrom are patentable.

Applicant herein renews all of the arguments put forth above in distinguishing claims 5 and 9 over the references relied upon by the Examiner and respectfully submits that at least for the same reasons, claim 12 is patentable, claim 23 and claims 24-28 dependent therefrom are patentable.

**B. Claim 8**

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sasakura in view of Shirakawa (U.S. Patent No. 5,949,953). Applicant respectfully traverses the Examiner's rejections for the reasons set forth below.

Applicant herein renews all of the arguments put forth above in distinguishing claim 1 over the reference relied upon by the Examiner and respectfully submits that at least for the same reasons claim 8 dependent therefrom is patentable.

**C. Claims 15, 22, 29-32**

Claims 15, 22, 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasakura in view of Schuler and further in view of Shirakawa (U.S. Patent No. 5,949,953). Applicant respectfully traverses the Examiner's rejections for the reasons set forth below.

Applicant herein renews all of the arguments put forth above in distinguishing claim 9 over the references relied upon by the Examiner and respectfully submits that at least for the same reasons claim 15 dependent therefrom is patentable, in distinguishing claim 16 over the references relied

upon by the Examiner and respectfully submits that at least for the same reasons claim 22 dependent therefrom is patentable, in distinguishing claim 23 over the references relied upon by the Examiner and respectfully submits that at least for the same reasons claims 29-32 dependent therefrom are patentable.

**V. Conclusion**

In view of the above, it is respectfully submitted that the application is now in condition for allowance. The Examiner's reconsideration and further examination are respectfully requested.

Respectfully submitted,  
LIMBACH & LIMBACH L.L.P.

Dated: 4/10/02

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